

OCT. 29. 2004 5:31PM

FOLEY 8587926773

NO. 1215 P. 1

FOLEY**RECEIVED
CENTRAL FAX CENTER
OCT 29 2004****FOLEY & LARDNER LLP
ATTORNEYS AT LAW**11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM**FACSIMILE TRANSMISSION****Total # of Pages 9 (including this page)**

TO:	PHONE #:	FAX #:
Examiner Marie Patterson, Art Unit No. 3728 U.S. Patent and Trademark Office	(703) 308-0069	(703) 872-9306

From : Stacy L. Taylor
Email Address : staylor@foley.com
Sender's Direct Dial : 858.847.6720
Date : October 29, 2004
Client/Matter No : 078743-2002
User ID No : 3054

MESSAGE:

Applicant: Michael Kendall
Title: DEVICES FOR SUSPENDING A FOOT WITHIN A SHOE AND SHOES
INCORPORATING SUCH DEVICES
Appl. No.: 10/634,267
Filing Date: 08/04/2003
Examiner: Marie D. Patterson
Art Unit: 3728
Enclosed:
Response to Restriction Requirement Transmittal (in duplicate) (6 pgs.);
Response to Restriction Requirement (2 pgs.).

If there are any problems with this transmission or if you have not
received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Michelle L. Sympson
------------------	-------------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

OCT. 29. 2004 5:32PM

FOLEY 8587926773

RECEIVED
CENTRAL FAX CENTER
OCT 29 2004

NO. 1215 P. 2

Atty. Dkt. No. 078743-2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Kendall

Title: DEVICES FOR SUSPENDING A
FOOT WITHIN A SHOE AND
SHOES INCORPORATING SUCH
DEVICES

Appl. No.: 10/634,267

Filing Date: 08/04/2003

Examiner: Marie D. Patterson

Art Unit: 3728

<p>CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Michelle Simpson</u> (Printed Name)</p> <p><u>Michelle Simpson</u> (Signature)</p> <p><u>October 29, 2004</u> (Date of Deposit)</p>

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous
assertion of Small Entity status.

[X] The fee required for additional claims is calculated below:

Atty. Dkt. No. 078743-2002

- [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$110.00	\$0.00
[] Extension for response filed within the second month:	\$430.00	\$0.00
[] Extension for response filed within the third month:	\$980.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,530.00	\$0.00
[X] Extension for response filed within the fifth month:	\$2,080.00	\$2,080.00
EXTENSION FEE TOTAL:		\$2,080.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$2,080.00
[X] Small Entity Fees Apply (subtract ½ of above):		\$1,040.00
TOTAL FEE:		\$1,040.00

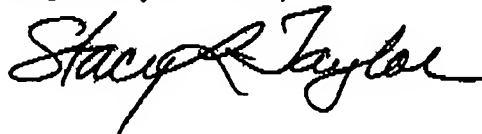
- [X] Please charge Deposit Account No. 50-0872 in the amount of \$1,040.00. A duplicate copy of this transmittal is enclosed.

- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 078743-2002

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,



Date October 29, 2004

FOLEY & LARDNER LLP

Customer Number: 30542

Telephone: (858) 847-6720

Facsimile: (858) 792-6773

By _____

Stacy L. Taylor

Attorney for Applicant

Registration No. 34,842

RECEIVED
CENTRAL FAX CENTER
OCT 29 2004

Atty. Dkt. No. 078743-2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Kendall

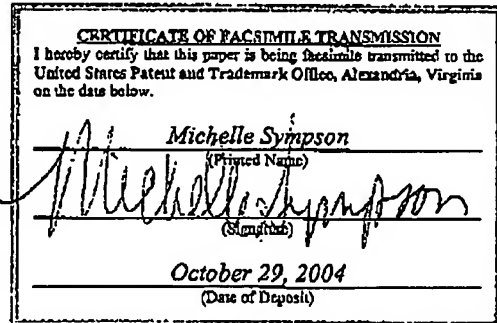
Title: DEVICES FOR SUSPENDING A
FOOT WITHIN A SHOE AND
SHOES INCORPORATING SUCH
DEVICES

Appl. No.: 10/634,267

Filing Date: 08/04/2003

Examiner: Marie D. Patterson

Art Unit: 3728



RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous
assertion of Small Entity status.

[X] The fee required for additional claims is calculated below:

Atty. Dkt. No. 078743-2002

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$110.00	\$0.00
[] Extension for response filed within the second month:	\$430.00	\$0.00
[] Extension for response filed within the third month:	\$980.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,530.00	\$0.00
[X] Extension for response filed within the fifth month:	\$2,080.00	\$2,080.00
EXTENSION FEE TOTAL:		\$2,080.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$2,080.00
[X] Small Entity Fees Apply (subtract ½ of above):		\$1,040.00
TOTAL FEE:		\$1,040.00

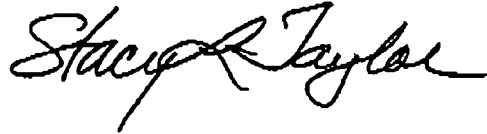
[X] Please charge Deposit Account No. 50-0872 in the amount of \$1,040.00. A duplicate copy of this transmittal is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 078743-2002

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,



Date October 29, 2004

FOLEY & LARDNER LLP

Customer Number: 30542

Telephone: (858) 847-6720

Facsimile: (858) 792-6773

By _____

Stacy L. Taylor

Attorney for Applicant

Registration No. 34,842